

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
PACIFIC PARK PLAZA
711 KAPIOLANI BOULEVARD, SUITE 600
HONOLULU, HAWAII 96813

AGENDA – THIRTY-SIXTH MEETING

THURSDAY, MARCH 25, 2021
4:00 P.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to the Eighteenth Proclamation issued by Governor David Ige on February 12, 2021, relating to the COVID-19 pandemic (Proclamation), in order to allow public participation in a manner consistent with social distancing practices the following procedures are in effect for the meeting. *The procedures have been modified to comply with Mayor Blangiardi's Emergency Order No. 2021-03, effective March 9, 2021 (Emergency Order). In accordance with concern for public health and safety, in-person testimony in the hearings room has been cancelled until further notice. Please see the instructions below on how to submit oral testimony on any scheduled matter or how to make your appearance on a scheduled matter.*

VIEWING THE MEETING AND RESTRICTIONS ON ENTRY

No members of the public will be allowed into the hearings room, but may listen to the meeting on a live broadcast. The meeting may be heard by internet live streaming through <https://zoom.us/j/91251431542> by dialing 1-408-638-0968, entering the meeting ID#: 912 5143 1542#; or, the preferred method, via the Liquor Commission website event calendar at <http://www.honolulu.gov/liq/event-calendar/>. You may pre-register to attend this meeting.

All Commissioners will be participating in the meeting by interactive conference technology from remote locations.

To provide the public with the best opportunity to observe the meeting, it is required to "mute" your device's microphone to prevent technological difficulties.

All persons who are required to appear for the meeting must make your appearance by joining the meeting on the Zoom platform as described above. Please be aware that joining the meeting will involve entering the meeting number and completing a registration process so please allow sufficient time for this task. For testifiers or required attendees who are not able to access the Zoom platform, an equipment and internet access station will be available for use in Suite 111. While in Suite 111, all Social Distancing Requirements set forth in the Proclamation and the Emergency Order must be strictly observed.

Within forty (40) days after the meeting, the minutes will be posted to the Liquor Commission website at <http://www.honolulu.gov/liq/event-calendar/> for viewing. The minutes of prior meetings may also be viewed at said website.

ORAL TESTIMONY

Oral testimony will be permitted on all matters before the Commission subject to the following restrictions:

1. *All oral testimony must be submitted remotely through the Zoom platform.*
2. Each speaker is limited to a three-minute presentation.

WRITTEN TESTIMONY

Written testimony is strongly encouraged and may be submitted to the Administrator of the Commission three (3) working days prior to the date of the meeting as follows: FAX (808) 768-7311 or E-MAIL liquor@honolulu.gov. Written testimony will not be accepted in person at the meeting.

MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("board packet") will be available for viewing electronically, as soon as practicable, at the Liquor Commission website (<http://www.honolulu.gov/liq/event-calendar/>).

PUBLIC HEARINGS:

1. Trans. Appl. No. 20-21487 from Sushi King LLC, dba Sushi King LLC
For the transfer of the business and Restaurant General license (Category No. 1 – Standard Bar) of Shu-Lee F. Kondo, dba Sushi King, 2700 South King Street, and for a change of trade name to Sushi King LLC (R0131) (Prelim. Hrg. 3/4/21)
2. Trans. Appl. No. 21-22715 from Pho Vietnam Inc., dba Pho Vietnam Inc.
For the transfer of the business and Restaurant General license (Category No. 1 – Standard Bar) of DS Restaurant Group LLC, dba Charm 3, 52 North Hotel Street, Suites 113/114, and for a change of trade name to Pho Vietnam Inc. (R1160) (Prelim. Hrg. 3/4/21)

(License currently in safekeeping)
3. Appl. No. 21-22553 from Kapa Hale LLC, dba Kapa Hale, 4614 Kilauea Avenue, Suite #102
For a Restaurant General license (Category No. 1 – Standard Bar) (Prelim. Hrg. 1/28/21)

PRELIMINARY HEARINGS:

4. Trans. Appl. No. 21-22535 from Noods Ramen Bar Inc., dba Noods Ramen Bar Inc.
For the transfer or the business and Restaurant General license (Category No. 1 – Standard Bar) of BIFA Seafood Inc., dba BIFA Seafood Inc., 3611 Waiialae Avenue, and for a change of trade name to Noods Ramen Bar Inc. (R1229)
5. Appl. No. 19-16461 from Pesca Waikiki Beach Inc., dba Pesca Waikiki Beach Inc., 1777 Ala Moana Boulevard, Sky Room 30A/30B
For a Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing)

PRELIMINARY HEARINGS: (CONT.)

6. Appl. No. 21-22198 from Masao Properties Incorporated, dba Beer Lab HI, 98-1005 Moanalua Road, Unit 884, Aiea (Pearlridge Center)

For a Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing)

LICENSE APPLICATION:

Temporary License Application:

7. Appl. No. 21-22906 from Saiminsays LLC, dba Papa Kurt's

For a [Stand-Alone] Temporary Restaurant General license (Category No. 1 – Standard Bar) at 925 Isenberg Street, the former site of Agu Ramen

REQUESTS:

8. Request No. 21-22786 from Atlan LLC, dba In Between, Dispenser General license (Category No. 1 – Standard Bar), 2155 Lauula Street (E1285)

Requesting approval to permanently increase its licensed premises and to make alterations and renovations

9. Request No. 21-22912 from 17A Productions, LLC, dba Skull & Crown Trading Company, Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing), 62 North Hotel Street (R1391)

Requesting approval to temporarily increase its licensed premises on Thursday, March 25, 2021 through Friday, December 31, 2021 from 6:00 p.m. to 10:00 p.m. (daily)

REQUESTS: (CONT.)

- | | |
|---|---|
| 10. Request No. 21-22938 from Uncle's At Pearlridge LLC, dba Uncle's At Pearlridge LLC, Restaurant General license (Category No. 1 – Standard Bar), 98-1005 Moanalua Road, Suite 2210, Aiea (R1330) | Requesting approval for inventory balancing with Uncle's Fishmarket & Grill LLC, dba Uncle's Fishmarket & Grill LLC, Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing) Pier 38, Honolulu Harbor, Unit FV8 (R0823) |
|---|---|

OTHER BUSINESS:

- | | |
|--|---|
| 11. Request No. 21-22933 from Mr. Matt Baysinger, CEO of Swell Spark | Requesting waiver of Rule 3-82- 32.1(a) requiring a temporary license application be filed within five working days of the surrender of the previous license or the closing of the business (Premises at 506 Keawe Street, the former site of Real Gastropub Bent Tail Brewing Co. (S0004)) |
|--|---|

ADOPTION OF DECISION AND ORDER:

- | | |
|--|------------------------------------|
| 12. The Bayview Bar Bistro Banquet Hall (LCV 20-0315) (E1594) | For adoption of Decision and Order |
| 13. Hawaii Kai Golf Course (LCV 21-0048) (E0552) | do. |
| 14. Kailua Town Pub and Grill (LCV 20-0263) (E1497) | do. |
| 15. Kingyo Karaoke Lounge (LCV 20-0240) (E0561) | do. |

ADOPTION OF DECISION AND ORDER: (CONT.)

- | | | |
|-----|--|------------------------------------|
| 16. | Lucky Honu (LCV 20-0014) (E0694) | For adoption of Decision and Order |
| 17. | Lucky Honu (LCV 20-0246) (E0694) | do. |
| 18. | Lucky Honu (LCV 20-0264) (E0694) | do. |
| 19. | Pot Pot Shabu Ramen & BBQ House (LCV 20-0253) (R0713) | do. |
| 20. | Takumi (LCV 20-0270) (R1142) | do. |

ADJUDICATION HEARINGS:

- | | | |
|-----|--|---|
| 21. | Club Little Saigon (LCV 20-0144) (E0144) | Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-19 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about July 22, 2020) (Continued from February 11, 2021) [History: 12/3/20, 2/11/21] |
|-----|--|---|

ADJUDICATION HEARINGS: (CONT.)

22. Sushi King
(LCV 21-0003)
(R0131)

Licensee failed to submit the name of every person then employed on the licensed premise who is registered with the Commission or who is subject to registration, on the date and in such manner as directed by the Commission (Violation of Rule 3-82-38.8) (Date of violation: On or about November 30, 2020, and/or during the period from November 30, 2020 to December 24, 2020)

(Continued from March 11, 2021)

23. Club Waterfall
(LCV 19-0345)
(E0599)

Licensee allowed the obstruction, hampering, or interfering with investigations or Commission operations in any way, including but not limited to, the sounding of alarms, flashing of lights or use of a public address system or other advance warning announcing the arrival of Commission investigators (Violation of Rule 3-84-79.1) (Date of violation: On or about September 27, 2019)

24. Club Waterfall
(LCV 19-0352)
(E0599)

Licensee had some form of music, dancing, and/or entertainment, including but not limited to electronic gaming devices, card playing and table games on the licensed premises, without prior authorization or approval from the Commission (Violation of Rule 3-82-47.1(a)) (Date of violation: On or about September 27, 2019)

ADJUDICATION HEARINGS: (CONT.)

25. Club Waterfall
(LCV 21-0061)
(E0599)
- Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-31 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about January 16, 2021)
26. Club Waterfall
(LCV 20-0054)
(E0599)
- (1) One or more Commission investigators were hindered, obstructed, or prevented from entering into Licensee's premises or were opposed, obstructed, or molested in the performance of their duties, whether by the Licensee, Licensee's employee, or any other person (Violation of Section 281-79, HRS) (Date of violation: On or about February 21, 2020)
- (2) Licensee failed to have all interior rooms or enclosed areas in dispenser or cabaret licensed premises where liquor is sold, served or consumed, constructed in such a manner as to permit a full view of the interior of the room through a transparent window on the entry door or on the wall (Violation of Rule 3-84-72-3(a)) (Date of violation: On or about February 21, 2020)
- (3) Licensee failed to have the interior and exterior of the licensed premises well and properly lighted (Violation of Rule 3-84-72.2) (Date of violation: On or about February 21, 2020)

ADJUDICATION HEARINGS: (CONT.)

- | | |
|---|---|
| Club Waterfall (LCV 20-0054) (E0599) (Cont.) | (4) Licensee failed to have a time card or other adequate record showing in English the month, day, year, and time, indicating a.m. or p.m. and the legal first name and surname of each of its employees when these employees were on duty (Violation of Rule 3-82-38.4(a)) (Date of violation: On or about February 21, 2020) |
| | (5) Licensee employed a person in that section of the licensed premises where liquor is sold, served or consumed without said employee being properly registered with the Commission (Violation of Rule 3-82-38.5(a)) (Date of violation: On or about February 21, 2020) |
| 27. The Ginza Nightclub/Mystique Lounge (LCV 20-0061) (I0043) | Licensee failed to accurately report its revenues from gross liquor sales or to properly complete the gross liquor sales report (Violation of Rule 3-81-17.56) (Date of violation: On or during the fiscal year ending June 30, 2019) |
| 28. The Ginza Nightclub/Mystique Lounge (LCV 20-0300) (I0043) | (1) Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-30 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about December 4, 2020) |

ADJUDICATION HEARINGS: (CONT.)

- | | | | |
|-----|--|-----|--|
| | The Ginza Nightclub/Mystique Lounge (LCV 20-0300) (I0043) (Cont.) | (2) | Licensee employed a person in that section of the licensed premises where liquor is sold, served, or consumed without said employee being properly registered with the Commission (Violation of Rule 3-82-38.5(a)) (Date of violation: On or about December 4, 2020) |
| 29. | The Ginza Nightclub/Mystique Lounge (LCV 21-0008) (I0043) | (1) | One or more Commission investigators were hindered, obstructed, or prevented from entering into Licensee's premises or were opposed, obstructed, or molested in the performance of their duties, whether by the Licensee, Licensee's employee, or any other person (Violation of Section 281-79, HRS) (Date of violation: On or about December 19, 2020) |
| | | (2) | Licensee failed to make time record entries at the time its employees reported on duty and again when the employees went off duty (Violation of Rule 3-82-38.4(b)) (Date of violation: On or about December 19, 2020) |
| 30. | Hibiscus Club (LCV 20-0259) (E1538) | | Licensee failed to accurately report its revenues from gross liquor sales or to properly complete the gross liquor sales report (Violation of Rule 3-81-17.56) (Date of violation: On or during the fiscal year ending June 30, 2019) |

ADJUDICATION HEARINGS: (CONT.)

31. Hibiscus Club
(LCV 20-0299)
(E1538)
- (1) Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-30 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about December 3, 2020)
 - (2) Licensee allowed the obstruction, hampering, or interfering with investigations or Commission operations in any way, including but not limited to, the sounding of alarms, flashing of lights or use of a public address system or other advance warning announcing the arrival of Commission investigators (Violation of Rule 3-84-79.1) (Date of violation: On or about December 3, 2020)
 - (3) Licensee failed to have the street and/or primary entrances to the licensed premises unlocked during the time customers were on the premises (Violation of Rule 3-84-72.2) (Date of violation: On or about December 3, 2020)
 - (4) Licensee failed to have a duly registered manager in active charge of the licensed premises during the time the establishment is open for business and licensed to sell or serve liquor (Violation of Rule 3-82-38.9(a)) (Date of violation: On or about December 3, 2020)

ADJUDICATION HEARINGS: (CONT.)

- | | |
|--|--|
| Hibiscus Club (LCV 20-0299) (E1538) (Cont.) | (5) Licensee employed a person in that section of the licensed premises where liquor is sold, served or consumed without said employee being properly registered with the Commission (Violation of Rule 3-82-38.5(a)) (Date of violation: On or about December 3, 2020) |
| 32. Di's Karaoke (LCV 20-0229) (E1298) | Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-27 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about October 1, 2020) (Continued from January 7, 2021) |
| 33. Di's Karaoke (LCV 20-0231) (E1298) | Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-27 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about October 2, 2020) (Continued from January 7, 2021) |

OTHER BUSINESS: (CONT.)

34. Liquor Administrator

Legislative update

35. Liquor Administrator

Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination

If you require special assistance, auxiliary aid and/or service to participate in this meeting (i.e., sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please email your detailed request to liquor@honolulu.gov, at least five (5) business days prior to the meeting.